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ABSTRACT

This brochure sets forth the policy on drug and alcohol abuse for employees of Westminster College of Salt Lake City (Utah). The first section of the booklet contains the school's policy prohibiting the use of illegal drugs and prohibiting the use of alcohol except where approval has been granted. This section also describes the counseling, treatment and rehabilitation services available for drug and alcohol abusers. A second section outlines the health risks incurred by the use and abuse of alcohol, anabolic steroids, cannabis, depressants, designer drugs, hallucinogens, inhalants, narcotics and stimulants. A third section lists the federal, state and local penalties for unlawful manufacture, use, possession or distribution of illicit drugs, drug paraphernalia and alcohol. A final section details the college's own sanctions for violation of its substance and alcohol abuse policy including distribution or manufacture of drugs or their paraphernalia, unauthorized alcohol use or distribution and use or possession of drugs and associated activities. Included here is a statement on how the college policy will be interpreted, administered and enforced. (JB)

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WESTMINSTER COLLEGE
OF SALT LAKE CITY

Substance and Alcohol Abuse Policy for Employees

HE 024 961

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
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- encourage the use of the ERIC system by Network member institutions;
- improve the Network's ability to know about, and share information on activities at member institutions; and
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WESTMINSTER COLLEGE
OF SALT LAKE CITY

Substance and Alcohol Abuse Policy for Employees

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SUBSTANCE AND ALCOHOL ABUSE POLICY OF WESTMINSTER COLLEGE OF SALT LAKE CITY

INTRODUCTION

Westminster College of Salt Lake City is committed to developing and maintaining an institute of higher learning free from drug and alcohol abuse. Westminster College is dedicated to creating an atmosphere conducive to the well-being and personal development of each of its students, faculty, administration, and employees. The College believes that an environment free of substance and alcohol abuse is healthier, safer and more productive and is a condition desired by most faculty members, staff and employees ("employees"). Those responsible for the operation of Westminster College recognize and affirm the value of personal responsibility and accountability, and seek to provide an atmosphere in which the health and well-being of everyone associated with Westminster is fostered.

The ultimate goal of this policy is to balance the respect for individual privacy with Westminster College's need to maintain a drug-free environment. It is Westminster College's intention to maintain a safe, productive and healthful work environment for all employees. Where an employee's abuse of alcohol or drugs adversely affects job performance or safety, rehabilitation is a preferred alternative to termination. However, all disciplinary action, including the decision to terminate or refer an employee to rehabilitation, shall be in accordance with this policy, after considering all the circumstances, including the employee's past job performance. With these objectives in mind, Westminster College has established the following policy with regard to the abuse of alcohol and drugs.

POLICY STATEMENT
OF WESTMINSTER COLLEGE

Westminster College prohibits the unlawful use, possession, manufacture, transportation, promotion, or distribution (by either sale or gift) of illegal drugs or otherwise legal but illicitly used substances, including prescribed or over-the-counter drugs not being used for their intended or authorized purposes on the campus of Westminster College or as part of any of its activities.[1] Possession of paraphernalia associated with the use, possession or manufacture of a controlled or illegal substance is also prohibited on the campus of Westminster College or as part of any of its activities. Except in those instances when prior approval has been obtained from the Westminster College administration,[2] the use, possession, manufacture, transportation, promotion or distribution (by sale or gift) of alcoholic beverages is prohibited on the campus of Westminster College or as part of any of its activities.

Any employee convicted of a criminal drug statute violation occurring on the campus of Westminster College or as part of any of its activities must notify the Personnel Director within five days of that conviction.[3] Westminster College will notify the relevant federal contracting agency within 10 days of having received said notice. Within 30 days, Westminster College will impose appropriate sanctions on any employee who is so convicted.

1 The Drug-Free Schools and Communities Act of 1989 requires institutions of higher education to certify that they have adopted and implemented a program designed for the purpose of preventing the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

2 Beverage Permit Applications must be completed by individuals or groups responsible for an event where alcoholic beverages may be served. Westminster College will make a determination for each Application and Westminster College reserves the right to refuse its permission. Beverage Permit Applications may be obtained from the Dean of Students.

3 The Drug-Free Workplace Act of 1988 requires all grantees or contractors of the federal government to certify that they will maintain a drug-free workplace in accordance with the Act.

SUBSTANCE AND ALCOHOL COUNSELING, TREATMENT, AND REHABILITATION SERVICES

Westminster College offers a Substance and Alcohol Abuse Education and Prevention Service ("Education and Prevention Service") for the students and employees of Westminster College. This Service is located in the Shaw Center on the Westminster College campus. The Education and Prevention Service has information regarding the toxic effects of alcohol and drugs. The Education and Prevention Service also serves as a resource for the identification and referral to treatment and rehabilitation services for those students and employees experiencing problems related to substance abuse.

It is the responsibility of each individual to seek assistance before alcohol and drug problems lead to disciplinary action. The Education and Prevention Service Coordinator is available for individual counseling and evaluation of a substance or alcohol problem. If a referral to an off-campus agency or program is appropriate, the Service can assist with this process. No information regarding the nature of assistance will be included in the permanent personnel file.

Westminster College maintains a state-wide directory of services which provide assessment, treatment and rehabilitation for individuals who are experiencing the adverse effects of alcohol or drug abuse. The directory is available in the Education and Prevention Service and is in the reference section of Nightingale Library.

In addition, the following telephone services are available:

1-800-GET-MADD	(Mothers Against Drunk Drivers)
1-800-COCAINE	(Provides information, referrals)
1-800-ALCOHOL	(Crisis Line)
1-800-662-HELP	(Hotline provided by the National Institute on Drug Abuse)

HEALTH RISKS ASSOCIATED WITH SUBSTANCE AND ALCOHOL ABUSE

The Prevention and Education Program, as part of its ongoing educational and training efforts, is a resource provided by Westminster College to educate and furnish information to all students and employees about the health risks associated with substance and alcohol abuse.

The following is a brief description of the health risks associated with the abuse of alcohol and drugs.[4]

ALCOHOL

Alcohol consumption causes a number of marked changes in behavior. Low doses can significantly impair judgment and coordination. Low to moderate doses of alcohol can increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation.

[4] The information regarding the health risks is taken from *What Works: SCHOOLS WITH OUT DRUGS*, a 1989 publication of the United States Department of Education.

ANABOLIC STEROIDS

Steroid users subject themselves to more than seventy side effects ranging in severity from liver cancer to acne. The liver and the cardiovascular and reproductive systems are most seriously affected by steroid use. In males, use can cause withered testicles, sterility, and impotence. In females, irreversible masculine traits can develop along with breast reduction and sterility. Psychological effects in both sexes include very aggressive behavior known as "roid rage" and depression. While some side effects appear quickly, others, such as heart attacks, kidney failure, and strokes, may not show up for years.

CANNABIS (MARIJUANA, THC, HASHISH)

Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Marijuana can also produce paranoia and psychosis.

Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke.

DEPRESSANTS (BARBITURATES, METHAQUALONE, TRANQUILIZERS)

The effects of depressants are in many ways similar to the effects of alcohol such as slurred speech and disorientation. Overdose effects include shallow respiration, weak and rapid pulse, coma, and possible death.

The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia, and anxiety to convulsions and death.

DESIGNER DRUGS

Many of the so-called designer drugs are related to amphetamines and have mild stimulant properties but are mostly euphoriants. They can produce severe neurochemical damage to the brain.

The narcotic analogs can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis, and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating, and faintness. Psychological effects include anxiety, depression, and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations, and impaired perception.

HALLUCINOGENS (PCP, LSD, MESCALINE and PEYOTE)

Phencyclidine (PCP) interrupts the functions of the brain that control the intellect and keep instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Chronic users of PCP report persistent memory problems and speech difficulties. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, as well as heart and lung failure.

Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased.

INHALANTS

The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays decrease the heart and respiratory rates and impair judgment. Long-term use may result in hepatitis or brain damage.

Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death.

NARCOTICS
(HEROIN, METHADONE, CODEINE, MORPHINE, OPIUM)

Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea, and vomiting. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death.

Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in disease such as AIDS, endocarditis, and hepatitis.

STIMULANTS
(AMPHETAMINES, METHAMPHETAMINES, COCAINE, CRACK)

Cocaine stimulates the central nervous system. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis, and other diseases. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. The use of cocaine can cause death by cardiac arrest or respiratory failure.

Crack or freebase rock is extremely addictive, and its physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures.

Amphetamine and methamphetamine stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils, and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness, and anxiety. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.

In addition to the physical effects, users report feeling restless, anxious, and moody. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions, and paranoia.

LEGAL SANCTIONS UNDER FEDERAL, STATE, AND LOCAL LAWS

The following is a summary of basic federal, state, and local laws and sanctions which govern the unlawful manufacture, use, possession or distribution of illicit drugs, drug paraphernalia, and alcohol.

PENALTIES FOR VIOLATION OF FEDERAL LAW

The following is a basic summary of penalties for the violation of the federal laws of the United States concerning controlled substances, which are defined in Schedules I through V of Section 202 of the Federal Controlled Substances Act (21 U.S.C. 812).

A) Possession of any controlled substance other than crack cocaine base: 1 year imprisonment, plus a fine up to $100,000.00.

B) Possession of crack cocaine base in a quantity of between 5 and 20 grams: 5 to 20 years imprisonment, plus a fine of up to $250,000.00.

C) Manufacture and distribution of a controlled substance: 5 years to life imprisonment, plus a fine of up to $250,000.00 to $4,000,000.00 depending on the quantity involved.

D) Maintaining a place for the manufacture, distribution or use of a controlled substance: 20 years imprisonment, plus a fine of up to $500,000.00.

E) Manufacture, distribution or use of drug paraphernalia: 3 years imprisonment, plus a fine of up to $250,000.00.

F) Double penalty if the distribution of a controlled substance involves using a minor, distribution or manufacture within 1,000 feet of a school or 100 feet of a public play yard or distribution to a pregnant person.

G) If a firearm is used in a drug related crime, an additional 5 to 10 years imprisonment can be added to the penalty.

H) Forfeiture of all property used in the manufacturing, distribution or use or possession of a controlled substance.

I) Use of a communication facility in connection with the manufacture or distribution of a controlled substance: 4 years imprisonment, plus a fine of up to $250,000.00.

UTAH STATE AND LOCAL PENALTIES FOR DRUG RELATED OFFENSES

The following is a basic summary of penalties for the violation of the state and local laws of Utah concerning alcohol and controlled substances.

A. Production or distribution of a scheduled controlled substance as defined by the Schedules of Utah Law.

1. Schedule I or II controlled substances as defined by Utah Law:

   a) First Offense - 1 to 15 years imprisonment, plus a fine of up to $10,000.00.
   b) Second Offense - 5 years to life imprisonment, plus a fine of up to $10,000.00.

2. Schedule III or IV controlled substances as defined by Utah Law:

   a) First Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.
   b) Second Offense - 1 to 15 years imprisonment, plus a fine of up to $10,000.00.

3. Schedule V controlled substances as defined by Utah Law:

   a) First Offense - 0 to 1 year imprisonment, plus a fine of up to $2,500.00.
   b) Second Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

4. Production or distribution of marijuana as defined by Utah Law:

   a) 100 pounds or more: First Offense - 1 to 15 years imprisonment, plus a fine of up to $10,000.00. Second Offense - 5 years to life imprisonment, plus a fine of up to $10,000.00.
   b) Between 16 ounces and 100 pounds: First Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00. Second Offense - 1 to 15 years imprisonment, plus a fine of up to $10,000.00.
   c) Less than 16 ounces: First Offense - 0 to 1 year imprisonment, plus a fine of up to $2,500.00. Second Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

B. Possession of a controlled substance as defined by Utah Law:

1. First Offense - 0 to 6 months imprisonment, plus a fine of up to $1,000.00.
2. Second Offense - 0 to 1 year imprisonment, plus a fine of up to $2,500.00.
3. Third Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

C. The furnishing or making available a dwelling or vehicle in which controlled substances are stored, transported or used:

1. First Offense - 0 to 6 months imprisonment, plus a fine of up to $1,000.00.
2. Second Offense - 0 to 1 year imprisonment, plus a fine of up to $2,500.00.
3. Third Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

D. Being in the presence of others where controlled substances are used openly with one's consent, assistance or encouragement:

1. First Offense - 0 to 6 months imprisonment, plus a fine of up to $1,000.00.
2. Second Offense - 0 to 1 year imprisonment, plus a fine of up to $2,500.00.
3. Third Offense - 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

E. Use or possession of drug paraphernalia: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

F. Sale or distribution of drug paraphernalia: 0 to 1 year imprisonment, plus a fine of up to $2,500.00.

G. Manufacture or distribution of an imitation controlled substance: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

H. Use of an imitation controlled substance: 0 to 90 days, plus a fine of up to $500.00.

I. Unauthorized manufacture, distribution or possession of a chemical used as a component to manufacture a controlled substance: 1 to 15 years, plus a fine of up to $10,000.00.

J. Forfeiture of all property used in connection with the manufacture, distribution, use or possession of a controlled substance or imitation controlled substance or drug paraphernalia as defined by Utah Law.

UTAH STATE AND LOCAL PENALTIES FOR ALCOHOL RELATED OFFENSES

A. Driving while under the influence of a controlled substance or alcohol will be subject to one or more of the following sanctions:

1. 0 to 6 months imprisonment, plus a fine of up to $1,000.00.
2. If an injury results: 0 to 1 year imprisonment, plus a fine of up to $2,500.00.
3. Suspension or revocation of driver's license privileges, plus $75.00 reinstatement fee.
4. Referral to a certified drug and alcohol education and treatment facility, with a fee of between $50.00 and $200.00.
5. Restitution of damages to person or property.
6. Community service from between 48 and 2160 hours depending on number of DUI convictions.
7. Subsequent convictions resulting in injury: 0 to 5 years imprisonment plus a fine of up to $5,000.00.
8. Drug and alcohol testing fee of $60.00.

B. Possession of an open container of alcohol in a vehicle: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

C. Unlawful sale or distribution of an alcoholic beverage to a minor: 0 to 1 year imprisonment, plus a fine of up to $2,500.00.

D. Possession and use of an alcoholic beverage by a minor: 0 to 1 year imprisonment, plus a fine between $500.00 and $2,500.00, together with loss of driver's license privileges.

E. Negligent Homicide: 0 to 5 years imprisonment, plus a fine of up to $5,000.00.

F. Unlawful consumption of alcohol in public places: 90 days imprisonment, plus a fine of up to $500.00.

G. Public Intoxication: 90 days imprisonment, plus a fine of up to $500.00.

H. Misrepresentation of age for the purpose of obtaining alcohol: 1 year imprisonment, plus a fine of between $500.00 and $2,500.00.

I. Unlawful use or transfer of identification: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

J. Permitting or causing the illegal intoxication of another: a fine of up to $500.00.

K. Purchase of alcohol while under the influence of drugs or alcohol: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

L. Unlawful sale or supply to an intoxicated person: 0 to 6 months imprisonment, plus a fine of up to $1,000.00.

M. **Utah Dram Shop Law:** Any person who provides alcoholic beverages illegally to underage persons or who provides alcohol to someone who is apparently intoxicated or, given the circumstances, may be under the influence of alcohol or other drugs and the intoxicated person causes injury to person or property while intoxicated, that person who furnished the alcoholic beverages is liable for injuries, property or support to any third person or their spouse, child or parent.

DISCIPLINARY SANCTIONS FOR VIOLATION OF SUBSTANCE AND ALCOHOL ABUSE POLICY

Disciplinary sanctions will be imposed against an employee found to be in violation of the policy.[5] Disciplinary sanctions may include personnel action, up to and including termination. Westminster College may also require employees, as a condition of employment, to participate in a drug or alcohol abuse assistance or rehabilitation program, satisfactory to Westminster College.

In addition to the sanctions set forth in this policy, Westminster College reserves the right to refer all matters in violation of its substance and alcohol abuse policy to the appropriate law enforcement agencies.

Westminster College supervisors will, when possible, counsel with an employee whenever they see changes in performance that suggest an employee problem. The supervisor may suggest that the employee voluntarily seek assistance. The supervisor will follow, when feasible, the disciplinary procedure outlined below:

Step 1. Discussion of the performance problem with the employee to establish corrective action and a verbal warning that unless corrective action is taken, disciplinary sanctions may be imposed. Document the conversation in writing. Establish a follow-up date.

Step 2. If problems persist, issue a written warning with an outline of corrective action required. Have the employee acknowledge receipt of the warning in writing. Establish a follow-up date.

Step 3. As needed, impose disciplinary sanctions which may include referral to a qualified counseling staff member for further evaluation, referral to a treatment or rehabilitation program, suspension, demotion, and/or termination.

[5] All actions by Westminster College shall conform to the Federal Rehabilitation Act and related Utah law prohibiting an employer from discriminating against a "handicapped individual" who, with reasonable accommodation and within the limits allowed by business purpose, can perform the essential functions of the job. Westminster College may terminate or deny employment to any individual whose current use of alcohol or drugs would or may constitute a threat to personal or public safety or to College property or which would or may prevent such an individual from performing the essential duties of the job.

INTERPRETATION, ADMINISTRATION, AND ENFORCEMENT OF SUBSTANCE AND ALCOHOL ABUSE POLICY

The administration of Westminster College may adopt rules and regulations in connection with the interpretation, administration, and enforcement of this substance and alcohol abuse policy.

All faculty, staff and student organizations are expected to develop specific guidelines and procedures consistent with Westminster College's responsibility and authority under this policy. Westminster College's Education and Prevention Service shall be used as a resource in connection with the preparation, review, and approval of these guidelines and procedures. All guidelines and procedures shall be consistent with the terms and objectives of this policy. These guidelines and procedures shall be subject to review and approval by Westminster College Administration's Executive Staff and, when applicable, the Board of Trustees.

Westminster College reserves the right to amend this policy as necessary to maintain compliance with applicable local, state and federal laws or as needed to maintain the objectives of this substance and alcohol abuse policy. Westminster College shall conduct a biennial review of this policy to determine the program's effectiveness.

This substance and alcohol abuse policy shall be distributed annually to all employees of Westminster College.